

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION IX

75 Hawthorne Street San Francisco, CA 94105

SFUND RECORDS CTR 2061724

February 6, 2004

Via Federal Express

Elliott Stern, Attorney Eastman Kodak Company for Eastman Kodak Company 343 State Street Rochester, NY 14650-0217

Re: Omega Chemical Superfund Site Settlement Offer; Response Due May 7, 2004

Dear Elliott Stern:

Previously, the United States Environmental Protection Agency ("U.S. EPA") sent the person or entity identified above, or a predecessor (collectively referred to in this letter as "your company or organization") a De Minimis Notice Letter discussing the potential liability of your company or organization for the ongoing remediation of the Omega Chemical Superfund Site (the "Omega Site"). Those parties who may be responsible for the waste at Superfund sites are referred to as "potentially responsible parties" or "PRPs." PRPs include individuals, businesses, governmental agencies, and other types of organizations. You may be a PRP if you are:

- 1) a current owner or operator of the Omega Site;
- 2) the former owner or operator of the Omega Site during the period of waste disposal;
- 3) a party that arranged for the treatment, disposal, or transportation of hazardous substances to the Omega Site (a "generator"); or
- 4) a party that selected the Omega Site as a place to dispose of hazardous substances and who transported these substances to the Omega Site (referred to as "transporters").

The parties receiving this letter are all believed to be "generators" of wastes disposed at the Omega Site, and therefore "potentially responsible parties" at the Omega Site.

This letter is intended to offer your company or organization the opportunity to resolve its liability for waste that was disposed of at the Omega Site. The U.S. EPA is making this offer to your company or organization on very favorable terms, due to the comparatively small quantity of waste (referred to as a "de minimis" quantity) it is responsible for having contributed to the Omega Site.

Settlement Cost Summary Eastman Kodak Company for EASTMAN KODAK CO-REGL M&D CENTER

The payment required to join this settlement will depend upon the settlement option chosen. Please see the offer letter and the enclosed memoranda and proposed Administrative Order on Consent for explanations of the settlement options and payment instructions. **Do not enclose a check with your signature page; please wait until you receive a letter with payment instructions.**

SETTLEMENT OPTIONS

Eastman Kodak Company settlement payment is:

3.2267 tons x \$12,632 per ton =

\$40,759

If Eastman Kodak Company joins the expedited settlement, it will receive a **five percent** (5%) discount, reducing its settlement cost to:

\$38,721

Omega De Minimis Administrative Order on Consent Signature Page

Eastman Kodak Company for EASTMAN KODAK CO-REGL M&D CENTER

	, by the
	[Respondent]
-	ed representative named, titled and signed below, hereby consents to this e Order on Consent and agrees to be bound by the terms and conditions thereof.
BY:	
TITLE:	
DATED:	
<u> </u>	and address for this Respondent, or for his, her or its agent for service of process:
NAME:	
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ADDRESS:	
	ENCLOSURES- Please check the appropriate box if you are filing either of optional applications:
☐ Application page)	ation for financial review to qualify for reduced payment (see note on following
	ation for volume review (see note on following page)
your settlemen	this signature page on time, and do not file either optional application above, at payment will automatically be reduced by 5%. However, if you submit this e on time with a completed application for volume review, and EPA approves

your application, your settlement payment will also be reduced by 5%.

NOTE REGARDING APPLICATION FOR FINANCIAL REVIEW TO QUALIFY FOR

REDUCED PAYMENT: If the Respondent chooses this option, Respondent must submit the signature page together with the required financial statements, supporting documents, and signed certification, as described in the Omega Site De Minimis Settlement Offer Letter and its enclosures. If the Respondent provides these materials, the Respondent will have 14 days in which to withdraw the signature page after the U.S. EPA notifies Respondent of the result of the U.S. EPA's financial review.

NOTE REGARDING APPLICATION FOR VOLUME REVIEW: If the Respondent chooses this option, Respondent must submit the signature page together with the required review form, copies of relevant manifests, other supporting documents, and the Respondent's signed certification, as described in the Omega Site De Minimis Settlement Offer Letter and its enclosures. If the Respondent provides these materials, the Respondent will have 14 days in which to withdraw the signature page after the U.S. EPA notifies Respondent of the result of the U.S. EPA's volume review.

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manifest_number	manifest_quantity_ton					
83493811	0.3 tons					
83493930	0.6 tons					
84341232	0.9 tons					
84341640	0.325 tons					
88681511	1.101715 tons					

Wednesday, February 04, 2004 Page 103 of 291

TARDOUS WASTE MANAGEMENT BRANCH UNIFORM HAZARDOUS WASTE MANIFEST 714-744 P Street July 4; 1984 Secremento CA 95814 STATE ID NUMBER Please print or type with ELITE type (12 characters per inch) GENERATOR NAME AND MAILING ADDRESS MANIFEST DOCUMENT NUMBER EASTMAN KODAK (LOU STEIGER) EPA ID NUMBER 12100 Rivera Rd. Whittier CA 90706 213/945-1255 C, AD, ₁054, 854377, $0_1 q$ AREA CODE/PHONE NUMBER TRANSPORTER NO 1 EPA ID NUMBER VEH /CONTAINER NO OMEGA CHEMICAL CORP. 12504 E. Whittier Blvd. Whittier CA 90602 42507 C AD 0 4 2 245 0 01 TRANSPORTER NO 2/ALTERNATE TSD FACILITY VEH /CONTAINER NO EPA ID NUMBE 4 TREATMENT STORAGE OR DISPOSAL (TSD) F CILITY OMEGA CHEMICAL CORP. EPA ID NUMBER BE FILLED IN BY GENERATOR 213/698-0991 CAP 104 2 12451 0 011 AREA CODE/PHONE NUMBER UN/NA JATOT UNIT CONTAINER WASTE DISP PROPER U.S. D.O.T. SHIPPING NAME AND HAZARD CLASS NUMBER QUANTITY WT/VOL TYPE CAT NO METH NO Hazardous Waste, Liquid NOS. - ORM-E D₁M | 2 | 1,1 01 (R-11)CONC RANGE UNITS COMPONENTS PPM Morotrifluoromethane SPECIAL HANDLING INSTRUCTIONS This is to certify that the above named wastes are properly classified described packaged marked and labeled and are in proper condition for transportation according to the applicable requirements of the Department of Transportation and the EPA MO DAY Printed or typed full name and signature (Check if continuation sheet is used. Number of continuation sheets TRANSPORTER 1 ACKNOWLEDGEMENT OF RECEIPT OF ABOVE WASTES DATE MO DE FILLEJ IN TPANSPORTER DAY REC D Printed or typed full name and signature CCEPTED DA MO

TRANSPORTER 2 ACKNOWLEDGEMENT OF RECEIPT OF ABOVE AN DATE REC D ACCEPTED Printed or typed full name and signature

DISCREPANCY INDICATION SPACE

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FPA ID NUMBER C, AD, 042 245 0 0

DATE RECEIVED & ACCEPTED MO DAY

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UNIFORM HAZARDOUS WASTE MANIFEST

6 California Health and Welfare Agency.
LAZARDOUS WASTE MANAGEMENT BRANCH
174-744 PS 195814

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TO: P.O. Bex 3000, Sacramento, CA 95812

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State of California—Health and Welfare Agency
Form Approved OMS No. 2050—0039 (Expires 9.30-91)
Please print or type. (Form designed for use on elite (12-pitch typewriter)

See Instructions on Back of Page 6 and Front of Page 7

Department of Health Services Toxic Substances Control Division Secremento, California

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EPA 8707—22 (Rev. 9.38) Previous additions are obsolete

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FedEx Express Customer Support Trace 3875 Airways Boulevard Module H, 4th Floor Memphis, TN 38116 U.S. Mail: PO Box 727 Memphis, TN 38194-4643

Telephone: 901-369-3600

2/13/2004

Dear Customer:

Here is the proof of delivery for the shipment with tracking number **640808390683**. Our records reflect the following information.

Delivery Information:

Signed For By: M.MOSHER



Delivery Location: C/O GMAC GLOBAL RELOCATIO

Delivery Date: February 9, 2004

Delivery Time: 0903

Shipping Information:

Tracking No: 640808390683 **Ship Date:** February 7, 2004

Recipient:

ELLIOTT STERN, ATTORNEY EASTMAN KODAK COMPANY 343 STATE STREET ROCHESTER, NY 14650

US

US 06-5026-01-0506-000

Shipper:

1404 FRANKLIN ST FL 6

OAKLAND, CA 946123210

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Thank you for choosing FedEx Express. We look forward to working with you in the future.

FedEx Worldwide Customer Service 1-800-Go-FedEx®

Shipment Reference Information:

Reference No.: R2004021300112592423